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10/631,063	07/31/2003	**Carl Phillip Guster**	AUS920030407US1	3517

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KASSA, HILINA S	
ART UNIT	**PAPER NUMBER**
2625	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/631,063	GUSTER ET AL.	
	Examiner	Art Unit	
	HILINA S. KASSA	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 January 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *51-60* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *51-60* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/02/2009 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 51-60 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 59-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferlitsch et al. (US Publication Number 2004/0190042 A1).

(1) regarding claim 59:

As shown in figure 2, Ferlitsch et al. discloses a method for printing a document using a computer connected to a plurality of printers (**40, 50, 52, 54, figure 2**) comprising:

processing a print queue by separating each of a plurality of documents into a plurality of document pages each having a document page data hidden in the page (**paragraph [0078], lines 1-10; note that the print document gets splitted into plurality of documents to be processed i.e. the color and black and white color separation is performed**);

analyzing only the document page data in each of the plurality of document pages (**paragraph [0071], lines 1-6**), and responsive to a determination that the document page data requires a specific printer, sending the document page to a specific printer queue (**paragraph [0077], lines 1-8; note that once it is determined that each print job has different capabilities, the print jobs get sent to the appropriate printing device**);

wherein the specific printer is enabled to print fonts or images unprintable by other printers in the plurality of printers (**paragraph [0074], lines 1-13; note that the based on the capabilities of the printing device, the print job gets redirected to the appropriate printer in order to process the print job**).

(2) regarding claim 60:

Ferlitsch et al. further discloses the method of claim 59 wherein the specific printer contains letterhead paper (**figure 6, paragraph [0122]; note that "media=letter" is disclosed as one of the printer configuration**).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 51, 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. (US Patent Number 5,995,721) in view of Patton (US Patent Number 7,265,855 B2).

(1) regarding claim 51:

As shown in figure 1, Rourke et al. disclose a method for printing a document using a computer connected to a plurality of printers (**25, 12-1, 12-N, figure 1; column 6, lines 45-47, lines 60-64; note that the server computer and the plurality of printers are connected**) comprising:

sending the plurality of documents in the print queue to a classification program (**column 7, lines 47-55; note that the job ticket is a classification program to categorize print jobs**);

processing the print queue by separating each of the plurality of documents into a plurality of document pages each having a document page hidden in the page (**column 9, lines 24-30; note that more or more job portions of a job among one or more queues based on the attributes of the job is discloses. Also, the attribute information is associated with an information embedded in an electronic document i.e. considered as the hidden document**), analyzing *only* a document page data in each of the plurality of document pages to determine a required printer type (**column 9, lines 27-34; note that the attributes of the document type gets analyzed based on the embedded information associated with the document**), the plurality of document pages being from one of the plurality of documents (**figure 7; column 9, lines 9-19; note that there are plurality of jobs listed as BWP1-N, FCP1-N and ACS1-N which represent the plurality of document also refer in column 10, lines 10-18**), separating each of the plurality of document pages into a plurality of print jobs based on the required printer type for each document page (**column 8, line 65-column 9, line 4; note that the documents get queued or organized to the appropriate printer type),** and sending each of the plurality of document pages to a type of printer based upon the document page data of each page (**column 12, line 62-column 13, line 6; note that job gets sent to the appropriate printer type based on who it is organized in the queue**), wherein the required printer types comprise: a

specific printer, a color printer and a black/white printer (**column 6, lines 45-54; note that the printer comprise different types i.e. full process color**);

responsive to each of the plurality of document pages being printed by an appropriate printer (**figure 12, column 13, lines 5-10; note that the appropriate printer i.e. document processing units 1-N prints the document**), reassembling the document (**column 12, lines 6-10; note that the after the printing the black/white and accent black/white prints with one color the print jobs get delivered to the job integrator in the form of a stream i.e. considered as reassembling the document**).

Rourke et al. disclose all of the subject matter as described as above except for specifically teaching receiving a plurality of documents in a print queue, wherein each document is placed at the end of the print queue when it is received; analyzing the plurality of documents in the print queue and prioritizing the plurality of documents in accordance with a user assigned priority stored in a data hidden in each document; wherein the user assigned priority may be a high priority, a medium priority, or a low priority; adding an interrupt instruction to each document having the high priority; ordering the plurality of documents in the print queue, wherein each document having the high priority is moved to the front of the print queue, followed by each document having the medium priority, and then followed by each document having the low priority, wherein the earliest document having the high priority is first in the print queue and the newest document having the low priority is last in the print queue, and wherein all documents of like priority are placed in the print queue in the order they were received; responsive to a determination that one of the plurality of documents is an earliest high

priority document, sending the earliest high priority document to the classification program and instructing the classification program to suspend the processing of a currently printing document by the classification program until the processing of the earliest high priority document has been completed, and then resume printing the currently printing document, and when the currently printing document is a high priority document, to finish printing the currently printing document and then print the earliest high priority document.

However, Patton teaches receiving a plurality of documents in a print queue (**column 3, lines36-36; note that print jobs are received and spooled in the print queue**), wherein each document is placed at the end of the print queue when it is received (**column 3, lines 56-59; note that the received print jobs are ordered in FIFO in the print queue**); using a prioritization program, analyzing the plurality of documents in the print queue (**column 3, lines 38-45; note that the print queue is analyzed in accordance with the print jobs**) and prioritizing the plurality of documents in accordance with a user assigned priority stored in a data hidden in each document (**70, figure 2; column 2, line 66-column 3, line 6; note that user could be able to assign priority level and the hidden data in the document is considered as the priority data printing value 70**); wherein the user assigned priority may be a high priority, a medium priority, or a low priority (**column 3, lines 63-66; note that the print control system allows user to assign a priority rank upon requesting for printing**); adding an interrupt instruction to each document having the high priority (**column 5, lines 1-6; note that when a priority checker determines that priority flag is set, the**

print control system interrupts the current job to process the job with priority); ordering the plurality of documents in the print queue (**column 4, lines 4-5; note that the print control system reorders the print queue based on the print job**), wherein each document having the high priority is moved to the front of the print queue (**column 4, lines 27-31; note that the print job manager prioritizes the print jobs with high priority in the print queue**), followed by each document having the medium priority (**column 4, lines 63-67; note that the when the priority or urgent print job is not set, the next job gets processed**), and then followed by each document having the low priority (**column 5, lines 28-30; note that print jobs with low priority are also in the print queue**), wherein the earliest document having the high priority is first in the print queue (**column 4, lines 27-31; note that the print job manager prioritizes the print jobs with high priority in the print queue**), and the newest document having the low priority is last in the print queue (**column 3, line 66-column 4, line 1; note that lower priority jobs are processed last after processing the high priority ones**), and wherein all documents of like priority are placed in the print queue in the order they were received (**column 3, lines 36-38; note that the print control system prioritizes the print jobs in accordance with the set of prioritizing rules and spools the print job in queue**); responsive to a determination one of the plurality of documents is an earliest high priority document (**column 4, lines 27-30; note that the print job manager prioritizes the jobs in accordance with the priority rules and creates job identifier**), sending the earliest high priority document to the classification program and instructing the classification program to suspend the processing of a currently printing

document by the classification program until the processing of the earliest high priority document has been completed (**column 5, lines 1-8; note that when the priority flag is set the job that is being printed gets interrupted and the rest of the portion gets saved**), and then resume printing the currently printing document (**column 5, lines 12-25; note that the portion of the interrupted print job gets resumed back to be printed after checking that there is no other priority document**), and when the currently printing document is a high priority document (**column 4, lines 43-46; note that it is determined from the job description that the job has higher priority**), to finish printing the currently printing document and then print the earliest high priority document (**column 4, lines 47-52; note that when job N is received by the printing control system, the print queue gets updated in position for printing after the current pint job is printed**).

Rourke et al. and Patton are combinable because they are from the same field of endeavor i.e. net work printing and processing of data. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to receiving a plurality of documents in a print queue, wherein each document is placed at the end of the print queue when it is received; analyzing the plurality of documents in the print queue and prioritizing the plurality of documents in accordance with a user assigned priority stored in a data hidden in each document; wherein the user assigned priority may be a high priority, a medium priority, or a low priority; adding an interrupt instruction to each document having the high priority; ordering the plurality of documents in the print queue, wherein each document having the high priority is moved to the front of the print queue,

followed by each document having the medium priority, and then followed by each document having the low priority, wherein the earliest document having the high priority is first in the print queue and the newest document having the low priority is last in the print queue, and wherein all documents of like priority are placed in the print queue in the order they were received; responsive to a determination that one of the plurality of documents is an earliest high priority document, sending the earliest high priority document to the classification program and instructing the classification program to suspend the processing of a currently printing document by the classification program until the processing of the earliest high priority document has been completed, and then resume printing the currently printing document, and when the currently printing document is a high priority document, to finish printing the currently printing document and then print the earliest high priority document. The suggestion/motivation for doing so would have been to easily manage and organize the system and to have a reliable system which permits job interruption when priority is desired without manually finishing the interrupted job (column 2, lines 23-25). Therefore, it would have been obvious to combine Rourke et al. with Patton to obtain the invention as specified in claim 51.

(2) regarding claim 56:

Rourke et al. further discloses the method of claim 51 wherein the data hidden in each document is an embedded file header that indicates a document size, a document type, a text type, a text color, a graphic type, a graphic color, a priority of a print job, a page size, a page format characteristics, or a document resolution requirement

(**column 7, lines 20-28; note that the print job ticket/ print attribute contains information about the document size, color, resolution, location, etc**).

(3) regarding claim 58:

Rourke et al. further discloses the method of claim 51 wherein the printed document pages are reassembled by an automated process (**column 12, lines 6-10; note that the after the printing the black/white and accent black/white prints with one color the print jobs get delivered to the job integrator in the form of a stream i.e. considered as reassembling the document**).

7. Claims 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. (US Patent Number 5,995,721) and Patton (US Patent Number 7,265,855 B2), and further in view of Wong et al. (US Publication Number 2004/0179219 A1).

(1) regarding claim 52:

Rourke et al. and Patton disclose all of the subject matter as described as above except for specifically teaching wherein the specific printer is a printer containing letterhead paper.

However, Wong et al. disclose wherein the specific printer is a printer containing letterhead paper (**paragraph [0004], lines 1-6; note that the letterhead paper is one of the media types included in the printing device**).

Rourke et al., Patton and Wong et al. are combinable because they are from the same field of endeavor i.e. data processing for printers in a networked printing environment. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the specific printer is a printer containing letterhead paper. The suggestion/motivation for doing so would have been in order to avoid undesired use of consumables which do not match the needs of a print job but rather have a printing device which could be able to process print jobs according to the desired media type (paragraph [0006], lines 7-9). Therefore, it would have been obvious to combine Rourke et al. and Patton with Wong et al. to obtain the invention as specified in claim 52.

(2) regarding claim 53:

Rourke et al. and Patton disclose all of the subject matter as described as above except for specifically teaching wherein the specific printer is a photographic printer.

However, Wong et al. disclose wherein the specific printer is a photographic printer (**paragraph [0001], lines 6-9; note that that printing device is a photographic printer as it could be able to accept photo paper for printing**).

Rourke et al., Patton and Wong et al. are combinable because they are from the same field of endeavor i.e. data processing for printers in a networked printing environment. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the specific printer is a photographic printer. The suggestion/motivation for doing so would have been in order to avoid undesired use of

consumables which do not match the needs of a print job but rather have a printing device which could be able to process print jobs according to the desired media type and print requirement (paragraph [0006], lines 7-9). Therefore, it would have been obvious to combine Rourke et al. and Patton with Wong et al. to obtain the invention as specified in claim 53.

8. Claims 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. (US Patent Number 5,995,721) and Patton (US Patent Number 7,265,855 B2), and further in view of Sesek et al. (US Patent Number 7,054,021 B2).

(1) regarding claim 54:

Rourke et al. and Patton disclose all of the subject matter as described as above except for specifically teaching wherein the specific printer is enabled to print fonts or images unprintable by other printers in the plurality of printers.

However, Sesek et al. disclose wherein the specific printer is enabled to print fonts or images unprintable by other printers in the plurality of printers (**206, figure 5, column 4, lines 6-9; note that user selects appropriate printer based on the print job attribute information**).

Rourke et al., Patton and Sesek et al. are combinable because they are from the same field of endeavor i.e. data processing for network printing system. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the specific printer is enabled to print fonts or images unprintable by other

printers in the plurality of printers. The suggestion/motivation for doing so would have been in order to easily select and process print jobs according to the print request attributes and be able to process multiple print jobs in a single print request (column 1, lines 7-9). Therefore, it would have been obvious to combine Rourke et al. and Patton with Sesek et al. to obtain the invention as specified in claim 54.

(2) regarding claim 55:

Rourke et al. further discloses the method of claim 51 further comprising:

wherein the data hidden in each document is an embedded file header that describes a plurality of printable document data (**column 5, lines 9-12; note that a print job is characterized by a set of job attributes i.e. considered as the embedded file which a header is a standard supplemental data at the beginning of data**) and indicates whether a document contains a specific printer direction in a page of the document (**column 6, lines 45-50**); and

when the data contains a specific printer direction, sending the page to a specific printer (**column 12, line 62-column 13, line 6; note that job gets sent to the appropriate printer type based on who it is organized in the queue**); and

Rourke et al. and Patton disclose all of the subject matter as described as above except for specifically teaching wherein a specific printer is a closest printer to a user's computer, a printer at a specific physical location, a printer having special sophisticated fonts, a printer having special embedded graphics, a printer requiring very high resolution, a printer containing photographic quality glossy paper, a printer containing

perforated pages, a printer containing company letterhead, or a printer specifically designated by the user.

However, Sesek et al. disclose wherein a specific printer is a closest printer to a user's computer (**column 1, lines 21-23; note that user could be able to select a printer which is in close proximity**), a printer at a specific physical location, a printer having special sophisticated fonts, a printer having special embedded graphics, a printer requiring very high resolution, a printer containing photographic quality glossy paper, a printer containing perforated pages, a printer containing company letterhead, or a printer specifically designated by the user (**column 1, lines 23-26; note that user may select a printer based on the printer model, media selection option, graphics capability, color, resolution, etc**).

Rourke et al., Patton and Sesek et al. are combinable because they are from the same field of endeavor i.e. data processing for network printing system. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein a specific printer is a closest printer to a user's computer, a printer at a specific physical location, a printer having special sophisticated fonts, a printer having special embedded graphics, a printer requiring very high resolution, a printer containing photographic quality glossy paper, a printer containing perforated pages, a printer containing company letterhead, or a printer specifically designated by the user. The suggestion/motivation for doing so would have been in order to easily select and process print jobs according to the print request attributes, user's desire and able to process multiple print jobs in a single print request (column 1, lines 7-9). Therefore, it

would have been obvious to combine Rourke et al. and Patton with Sesek et al. to obtain the invention as specified in claim 55.

9. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rourke et al. (US Patent Number 5,995,721) and Patton (US Patent Number 7,265,855 B2), and further in view of Ferlitsch et al. (US Publication Number 2004/0190042 A1).

(1) regarding claim 57:

Rourke et al. and Patton disclose all of the subject matter as described as above except for specifically teaching wherein when reassembling the documents is to be performed manually, a control page is printed that informs the user of the physical location of each the printers that printed separated parts of the original document.

However, Ferlitsch et al. discloses wherein when reassembling the documents is to be performed manually (**paragraph [0145], lines 1-6; note that the printing device provides user instructions for reassembly of the print job i.e. considered manual as user is the one collecting or assembling the jobs**), a control page is printed that informs the user of the physical location of each the printers that printed separated parts of the original document (**paragraph [0144], lines 1-9**).

Rourke et al., Patton and Ferlitsch et al. are combinable because they are from the same field of endeavor i.e. net work printing and processing of data. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein when reassembling the documents is to be performed manually, a control page

is printed that informs the user of the physical location of each the printers that printed separated parts of the original document. The suggestion/motivation for doing so would have been in order to enhance utilization of printing devices in a cluster-printing environment (paragraph [0002], lines 1-3). Therefore, it would have been obvious to combine Rourke et al. and Patton with Ferlitsch et al. to obtain the invention as specified in claim 57.

Conclusion

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see http://pari-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/
Examiner, Art Unit 2625
January 21, 2009

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625